

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**JOHNNY L. BRADLEY, Individually and on
behalf of the wrongful death beneficiaries of
Timica M. Bradley, deceased, and Deante
Bradley, a minor, by and through his next
friend and natural father, Johnny L. Bradley**

PLAINTIFF

VS.

CIVIL ACTION NO. 4:03CV94LR

**COOPER TIRE & RUBBER COMPANY, FORD
MOTOR COMPANY and JOHN T. EBERT**

DEFENDANTS

ORDER

This matter came before the court on Cooper Tire & Rubber Company's Motion for Reconsideration of Amended Scheduling Order. By this Motion, Cooper Tire does not request a change of the trial date or motion deadline. However, it suggests that the Plaintiff's expert designation deadline should have been moved to October 15, that the Defendants have until December 1 to designate experts, and that fact discovery end on November 1, while expert depositions be permitted to continue until January 15. The court has reviewed the Motion and the arguments made in support thereof and is of the opinion that it should be denied.

The court is not inclined at this date to truncate either the period during which the Plaintiffs may designate experts or the period during which the parties may conduct discovery. Those deadlines were set by Judge Lee, and the parties have undoubtedly relied on them to plan for the remainder of the discovery period. Nor does the court believe it fair to permit the Defendants six weeks after the Plaintiff's expert designation to designate their own experts. Finally, Cooper Tire's primary arguments appear to be directed to the Plaintiff's Motion to Compel and their Renewed Request for tire testing. The Renewed Request has already been denied by the court. The Motion

to Compel is under consideration, pending the receipt of Cooper Tire's surrebuttal pleading. Any arguments regarding the alleged delay in filing the Motion to Compel will be addressed in the court's ruling on that Motion.

IT IS, THEREFORE, ORDERED that the Cooper Tire's Motion for Reconsideration is hereby **denied**.

IT IS SO ORDERED, this the 26th day of October, 2006.

s/John M. Roper
UNITED STATES MAGISTRATE JUDGE